IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) Case no. 11-cv-341
ADVANCE AUTO BODY LLC, SHAWN BIERD, AND KATRINA BIERD,))
Defendants.))

ORDER OF PRELIMINARY INJUNCTION

On May 23, 2011, the United States of America moved for a preliminary injunction against Advance Auto Body LLC, Shawn Bierd, and Katrina Bierd. (Dkt. No. 3.)

Accordingly, IT IS HEREBY ORDERED that, pursuant to 26 U.S.C. § 7402, Advance Auto Body LLC, Shawn Bierd, and Katrina Bierd shall:

- (1) Deposit withheld FICA and income taxes, as well as the employer's share of FICA taxes of Advance Auto Body LLC, in an appropriate federal depository bank in accordance with federal deposit regulations;
- (2) Deposit Advance Auto Body LLC's FUTA taxes in an appropriate federal depository bank in accordance with federal deposit regulations;
- (3) Sign and deliver to a designated IRS officer on the first day of each month an affidavit stating that the requisite withheld income, FICA and FUTA tax deposits were timely made;
- (4) Timely file all federal employment and unemployment returns (including Forms 940 and 941) with the IRS;
- (5) Timely pay all required outstanding liabilities due with each tax return at the time the return is filed;

- (6) Sign and deliver to a designated IRS officer on the 20th day of the month following each quarter, a signed affidavit stating that the Form 941 for the preceding quarter was timely filed, and stating the date, time and place it was filed;
- (7) Sign and deliver to a designated IRS officer on the 15th of February of each year, a signed affidavit stating that the Form 940 for the preceding year was timely filed, and stating the date, time and place it was filed;
- (8) Be prohibited from making any disbursement or assigning any property from the date of payment of any wages until the amounts which are required to be withheld from the payment of those wages and the employer's share of FICA taxes related to those are wages are paid to the IRS; and
- (9) Notify the IRS of any new company, entity or business that any defendant may come to own, manage or be employed by during the pendency of this litigation.

UNITED STATES DISTRICT JUDG

Signed this House, 2011.

-2-